

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JAMES “JIM” CORNETTE,

Plaintiff,

v.

BRANDON GRAVER, et al.,

Defendants

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No. 3:19-cv-00219-KRG

DEFENDANT SHOPIFY INC.’S MOTION TO DISMISS AMENDED COMPLAINT

Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, Shopify Inc. (“Shopify”) moves to dismiss Plaintiff James “Jim” Cornette’s Amended Complaint with prejudice. For the reasons set forth in Shopify’s accompanying Brief, which is incorporated herein in full in its entirety, the claims asserted against Shopify fail to state a claim upon which relief can be granted, and because the deficiencies cannot be cured by amendment—indeed they were not cured by Plaintiff’s amendment—dismissal should be with prejudice.

WHEREFORE, for the reasons set forth in its accompanying Brief, Shopify Inc. respectfully requests the Court dismiss this action with prejudice.

STEVENS & LEE, P.C.

Date: March 12, 2020

By: /s/ Julie E. Ravis

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